

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Rev'd
07 June 06

Applicant's or agent's file reference 030282WO	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/US04/10867	International filing date (day/month/year) 08 April 2004 (08.04.2004)	Priority date (day/month/year) 08 April 2003 (08.04.2003)
International Patent Classification (IPC) or national classification and IPC IPC: H04L 9/00(2006.01) USPC: 713/187,188;705/51;726/4		
Applicant QUALCOMM INCORPORATED		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of <u> </u> sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) <u> </u>, containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand 15 October 2004 (15.10.2004)	Date of completion of this report 06 March 2006 (06.03.2006)	
Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Authorized officer Gregory Morse KIM VU SUPERVISORY PATENT EXAMINER TECHNOLOGY CENTER 2100	

Form PCT/IPEA/409 (cover sheet)(April 2005)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/US04/10867

Box No. I Basis of the report

1. With regard to the language, this report is based on:

- ☒ the international application in the language in which it was filed.
- ☐ a translation of the international application into English, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4(a))
 - ☐ international preliminary examination (under Rules 55.2(a) and/or 55.3(a))

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

- ☒ the international application as originally filed/furnished
- ☒ the description:
- pages 1-15 as originally filed/furnished
- pages* NONE received by this Authority on _____
- pages* NONE received by this Authority on _____
- ☒ the claims:
- pages 16-22 as originally filed/furnished
- pages* NONE as amended (together with any statement) under Article 19
- pages* NONE received by this Authority on _____
- pages* NONE received by this Authority on _____
- ☒ the drawings:
- pages 24-31 as originally filed/furnished
- pages* NONE received by this Authority on _____
- pages* NONE received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to the sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to the sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/US04/10867

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims <u>1-15, 19, 20, 25, and 38-35</u>	YES
	Claims <u>16-18, 21-24, 26, and 27</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-35</u>	NO
Industrial Applicability (IA)	Claims <u>1-35</u>	YES
	Claims <u>NONE</u>	NO

2. Citations and Explanations (Rule 70.7)

Claims 16-18, 21-24, 26 lack novelty under PCT Article 33(2) as being anticipated by Pearce et al., USPN 6,243,468. With regard to claims 16, 18, 23, and 27, Pearce discloses a method of associating software with hardware (column 2 lines 35-43) including obtaining a software id (column 3 lines 5-6) and a hardware id (column 3 lines 6-7) and generating a signature for the software (checksum, column 2 lines 48-51), software id, and the hardware id using cryptography (hashing, column 3 lines 7-11) used to validate the software (column 7 lines 11-15).

With regard to claim 17, Pearce discloses the product ID includes a checksum of the software (column 2 lines 48-51), which is a hash of the product.

With regard to claim 21, 22, and 24, Pearce discloses checking whether or not to allow software to hardware association based on the hardware (column 8 lines 50-55).

With regard to claim 26, Pearce discloses checking a database (column 8 lines 56-58).

Claims 1-15, 19, 20, 25, and 28-35 lack an inventive step under PCT Article 33(3) as being obvious over Gralla, in How The Internet Works, in view of Pearce.

With regard to claims 1-5, 7-12, 14, 15, 19, 20, 25, and 28-35, Pearce discloses associating software with hardware as disclosed above, and discloses sending a information to and from the registration authority over an insecure network (column 4 lines 21-26) but does not disclose that this network communication utilizes public keys and certificates. Gralla discloses that public key cryptography and digital certificates is often used to secure network communication (pages 303-307). It would have been obvious for one of ordinary skill in the art to secure Pearce's network communication with digital certificates and public key cryptography for Gralla's given motivation of protecting information and increasing security (page 303). With regard to claim 6, Pearce discloses the product number includes a product code serialized number (column 48-51). With regard to claim 13, Pearce discloses using a wireless network (column 4 lines 21-26).